IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE Ch.S.R.K. PRASAD

WRIT PETITION NO : 13114 of 2004

Between:

Smt. Sarukolla Sarala W/o. S. Obanna
Kadapa.

..... PETITIONER

AND

1 Mr. G. Madhav, Sub - Inspector of Police, II Town P.S., Kadapa , Kadapa District.
2 The Superintendent of Police, Kadapa District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the telegram dt.26.7.2004 sent by the petitioner the High Court will be pleased to issue an Order, direction, or a writ, more particularly one in the nature of writ of Habeas Corpus directing the Respondents herein to produce Mr. Sarukolla Obanna, Husband of Petitioner, who was taken away by the Sub-Inspector of Police, Mr. G. Madhav, Kadapa and kept in a secret place since 28.6.2004 ;and set him at liberty forthwith .

Counsel for the Petitioner: TELEGRAM

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following :

THE HONOURABLE SRI JUSTICE G.BIKSHAPATHY

AND

THE HONOURABLE SRI JUSTICE CH.S.R.K.PRASAD

WRIT PETITION NO.13114 OF 2004

-

-

ORDER:(per GB,J)

A telegram dated 27.6.2004 was registered as taken up case in W.P.No.13114 of 2004.

2. It is the case of the petitioner that one Mr.Sarukolla Obanna, husband of the petitioner herein was taken away by Sub-Inspector of Police, II Town Police Station, Kadapa without any authority of law and therefore, she sought for setting him at liberty.

3. After issuing notice, counter was filed by the Sub-Inspector of Police, II Town Police Station, Kadapa to the effect that the husband of petitioner was not arrested in any matter and he was also not required as witness in any case and no arrest was made and on the other hand it is stated that he was freely moving in the village and to this effect certificate of Village Secretary of Chowreddypalli village, Chapadu Mandal of Kadapa District, has been enclosed.

4. Under these circumstances, we do not find any merits in the writ petition and the

writ petition is accordingly dismissed.

_____

G.BIKSHAPATHY, J

DT.04.8.2004.

_____

CH.S.R.K.PRASAD, J

Mdaa.

Copy to:

1. The Superintendent of Police, Kadapa District.

2. Two C.D.Copies.